

HOUSE JOINT RESOLUTIONS

COUNTY OFFICERS UNDER FOUR YEAR TERM—RESIGNATION BEFORE ANNOUNCING CANDIDACY FOR DIFFERENT OFFICE

H. J. R. No. 31

Proposing an Amendment to the Constitution of Texas to provide that all county officials for whom four-year terms of office were authorized in 1954 must resign such office prior to announcing for a different office when more than one (1) year remains unserved of the term for which they were elected, and providing for the filling of such vacancies in the manner now provided by law.

Be it resolved by the Legislature of the State of Texas:

Section 1. Section 65 of Article 16 of the Constitution of the State of Texas is hereby amended so as hereafter to read as follows:

"Section 65. STAGGERING TERMS OF OFFICE.—The following officers elected at the General Election in November, 1954, and thereafter, shall serve for the full terms provided in this Constitution:

"(a) District Clerks; (b) County Clerks; (c) County Judges; (d) Judges of County Courts at Law, County Criminal Courts, County Probate Courts and County Domestic Relations Courts; (e) County Treasurers; (f) Criminal District Attorneys; (g) County Surveyors; (h) Inspectors of Hides and Animals; (i) County Commissioners for Precincts Two and Four; (j) Justices of the Peace.

"Notwithstanding other provisions of this Constitution, the following officers elected at the General Election in November, 1954, shall serve only for terms of two (2) years: (a) Sheriffs; (b) Assessors and Collectors of Taxes; (c) District Attorneys; (d) County Attorneys; (e) Public Weighers; (f) County Commissioners for Precincts One and Three; (g) Constables. At subsequent elections, such officers shall be elected for the full terms provided in this Constitution.

"In any district, county or precinct where any of the aforementioned offices is of such nature that two (2) or more persons hold such office, with the result that candidates file for 'Place No. 1,' 'Place No. 2,' etc., the officers elected at the General Election in November, 1954, shall serve for a term of two (2) years if the designation of their office is an uneven number, and for a term of four (4) years if the designation of their office is an even number. Thereafter, all such officers shall be elected for the terms provided in this Constitution.

"Provided, however, if any of the officers named herein shall announce their candidacy, or shall in fact become a candidate, in any General, Special or Primary Election, for any office of profit or trust under the laws of this State or the United States other than the office then held, at any time when the unexpired term of the office then held shall exceed one (1) year, such announcement or such candidacy shall constitute an automatic resignation of the office then held, and the vacancy thereby created shall be filled pursuant to law in the same manner as other vacancies for such office are filled."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at an election to be held on the first Tuesday after the first Monday in November, 1958, at which election all ballots shall have printed thereon:

"FOR the Constitutional Amendment providing that any District, County, or Precinct official serving a four-year term must resign before announcing for a different office if there remains unserved more than one (1) year of the term for which he was elected."

PROPOSED CONSTITUTIONAL AMENDMENTS

"AGAINST the Constitutional Amendment providing that any District, County, or Precinct official serving a four-year term must resign before announcing for a different office if there remains unserved more than one (1) year of the term for which he was elected."

If it appears from the returns of said election that a majority of the votes have been cast in favor of said Amendment, same shall become a part of the Constitution of the State of Texas.

Sec. 3. The Governor of Texas shall issue the necessary proclamation for the election herein provided for and shall cause this proposed Amendment to be published in the manner required by law and shall cause said election to be held as required by the Constitution and laws of this State.

Adopted by the House, April 23, 1957: Yeas 123, Nays 9; passed by the Senate, May 16, 1957: Yeas 24, Nays 4.

Approved May 23, 1957.

Filed with the Secretary of State, May 27, 1957.

DIRECT PAYMENTS FOR MEDICAL CARE—NEEDY RECIPIENTS OF OLD AGE ASSISTANCE, AID TO BLIND, AID TO DEPENDENT CHILDREN

H. J. R. No. 36

Proposing an amendment to Section 51a of Article III of the Constitution of the State of Texas by adding a new Subsection to be known as 51a-1; giving the Legislature the power to provide, under such limitations and restrictions as may be deemed by the Legislature expedient, for assistance on behalf of persons eligible for Old Age Assistance, Aid to the Blind, and Aid to Dependent Children as provided in Section 51a of Article III and for persons eligible for Aid to the Permanently and Totally Disabled as provided in Article III, Section 51-b of the Constitution of the State of Texas; providing for direct or vendor payments for medical care on behalf of such recipients; providing for the acceptance of financial aid from the Government of the United States for such payments; providing that the payments for such medical care shall be in addition to the direct assistance to such recipients; providing that the amounts paid out of State funds shall never exceed the payments out of Federal funds for such purposes; providing for the necessary election, form of ballot, proclamation, and publication.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 51a of Article III of the Constitution of the State of Texas be amended by adding thereto a new Subsection to be known as Subsection 51a-1, which shall read as follows:

"Subsection 51a-1. The Legislature shall have the power to provide by General Laws and to make payment for same, under such limitations and restrictions as may be deemed by the Legislature expedient, for direct or vendor payments for medical care on behalf of needy recipients of Old Age Assistance, Aid to the Blind, or Aid to Dependent Children as provided for in Section 51a of Article III and on behalf of needy recipients of Aid to the Permanently and Totally Disabled as provided for in Section 51-b of Article III of the Constitution of the State of Texas. The payments for such medical care on behalf of such recipients shall be in addition to the direct assistance to such recipients, and shall be in such amounts as provided by the Legislature; provided, however, that the amounts paid out of State funds for such purposes shall never exceed the amounts paid out of Federal funds for such purposes.

"The Legislature shall have the authority to accept from the Federal Government of the United States, such financial aid on behalf of the needy aged, needy blind, needy children, and needy permanently and totally dis-